

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

LOCAL, 8027 AFT-NEW HAMPSHIRE,
AFL-CIO, et al.,

Plaintiffs,

V.

Case No. 1:21-cv-1077-PB

FRANK EDELBLUT, in his official capacity only as the Commissioner of the New Hampshire Department of Education, et al.,

Defendants.

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

The defendants, through counsel, move for summary judgment under Federal Rule of Civil Procedure 56 and Local Rule 56.1. The plaintiffs' remaining claims fail as a matter of law for the reasons stated in the memorandum of law accompanying this motion. The Court should therefore enter summary judgment in the defendants' favor.

WHEREFORE, the defendants respectfully request that this Honorable Court:

- A. Grant the defendants' motion for summary judgment; and
- B. Grant such other relief as the Court deems just and equitable.

Respectfully submitted,

FRANK EDELBLUT, in his official capacity
as Commissioner of the Department of
Education,

JOHN M. FORMELLA, in his
official capacity only as Attorney General
of the State of New Hampshire,

AHNI MALACHI, in her official capacity as
Executive Director of the Commission for
Human Rights,

CHRISTIAN KIM, in his official capacity as
Chair of the Commission for Human Rights,

and

KENNETH MERRIFIELD, in his official
capacity as Commissioner of the Department of
Labor

By their attorney,

JOHN M. FORMELLA
ATTORNEY GENERAL

Date: August 14, 2023

/s/ Samuel Garland

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Certificate of Service

I hereby certify that a copy of the foregoing was served on all counsel of record using
the Court's electronic-filing service.

/s/ Nathan Kenison-Marvin

Nathan Kenison-Marvin